

REMARKS

Applicant has reviewed the Office Action dated 11/25/2009, which includes a Section 112 objection together with a Section 101 double-patenting rejection. Applicant has amended claim 17 to clarify that the signal being smoothed by the filter is the signal received at the input to the filter. The undersigned apologizes for the lack of clarity perceived by the Examiner; it was believed clear before, but, in re-reading, the examiner's confusion is understood. This clarification is believed to resolve the objection to the drawings. In addition, claim 17 has been amended to recite the comparator and resolve the antecedent basis issue.

Applicant herewith provides a terminal disclaimer to overcome the double-patenting rejection.

It is believed that the present claims are in condition for allowance, and early notification to that effect is earnestly solicited. In the event that any issue remains, the Examiner is invited to telephone the undersigned at 650-269-5025.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Eakin", with a stylized flourish at the end.

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